

APPLICATION FOR REZONING TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: THE MCLANE COMPANY

Name: BRAD THOMPSON
(Representative's name, printed)

Address: PO BOX 680813 MARLETTA, GA. 30068

Business Phone: _____ Cell Phone: 770-527-8506 Fax Number: _____

E-Mail Address: bgthompson@gmail.com

Signature of Representative: 

TITLEHOLDER SEE NEXT PAGE

Name: _____
(Titleholder's name, printed)

Address: _____

Business Phone: _____ Cell Phone: _____ Home Phone: _____

E-mail Address: _____

Signature of Titleholder: _____
(Attach additional signatures, if needed)

(To be completed by City)

Received: _____

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advertised: _____

Posted: _____

Approved/Denied: _____

APPLICATION FOR REZONING
TO THE CITY OF SMYRNA

Type or Print Clearly

(To be completed by City)

Ward: _____

Application No: _____

Hearing Date: _____

APPLICANT: THE MCLADE CORPORATION

Name: BAC THOMPSON
(Representative's name, printed)

Address: P.O. Box 68612 MARLETTA, GA 30068

Business Phone: _____ Cell Phone: 770-527-8522 Fax Number: _____

E-Mail Address: b.thompson@gmail.com

Signature of Representative: [Signature]

TITLEHOLDER

Name: ESTATE OF SARNA D. Petty / RONALD M. Petty Executor
(Titleholder's name, printed)

Address: 802 WESTIN PASS Prescott AZ 86301

Business Phone: _____ Cell Phone: 928-830-3328 Home Phone: 928-278-2923

E-mail Address: R.Petty@NORMA-USA.com

Signature of Titleholder: [Signature] as executor
(Attach additional signatures, if needed)

(To be completed by City)

Received: _____

Heard by P&Z Board: _____

P&Z Recommendation: _____

Advised: _____

Posted: _____

Approved/Denied: _____

ZONING REQUEST

From R-15 to PAD - Conditional
Present Zoning Proposed Zoning

LAND USE

From SUBURBAN RESIDENTIAL to MEDIUM DENSITY RESIDENTIAL
Present Land Use Proposed Land Use

For the Purpose of SINGLE FAMILY RESIDENTIAL

Size of Tract 1.35 ACRES

Location 3713 KING SPRINGS ROAD
(Street address is required. If not applicable, please provide nearest intersection, etc.)

Land Lot (s) _____ District _____

We have investigated the site as to the existence of archaeological and/or architectural landmarks. I hereby certify that there are no X there are _____ such assets. If any, they are as follows:

(To be completed by City)

Recommendation of Planning Commission:

Council's Decision:

CONTIGUOUS ZONING

North: RAD conditional

East: R-15

South: R-15

West: RAD conditional / RM-10

CONTIGUOUS LAND USE

North: SINGLE FAMILY RESIDENTIAL

East: SINGLE FAMILY RESIDENTIAL

South: SINGLE FAMILY RESIDENTIAL

West: SINGLE FAMILY RESIDENTIAL

INFRASTRUCTURE

WATER AND SEWER

A letter from Scott Stokes, Director of Public Works Department is required stating that water is available and the supply is adequate for this project.

A letter from Scott Stokes, Director of Public Works Department is required stating that sewer is available and the capacity is adequate for this project.

- If it is Cobb County Water, Cobb County must then furnish these letters.

Comments:

TRANSPORTATION

Access to Property? PLANT ROAD

Improvements proposed by developer? _____

Comments:

ZONING DISCLOSURE REPORT

Has the applicant* made, within two years immediately preceding the filing of this application for rezoning, campaign contributions aggregating \$250 or more or made gifts having in the aggregate a value of \$250 or more to the Mayor or any member of the City Council or Planning and Zoning Board who will consider this application?

NO

If so, the applicant* and the attorney representing the applicant* must file a disclosure report with the Mayor and City Council of the City of Smyrna, within 10 days after this application is filed.

Please supply the following information, which will be considered as the required disclosure:

The name of the Mayor or member of the City Council or Planning and Zoning Board to whom the campaign contribution or gift was made:

N/A

The dollar amount of each campaign contribution made by the applicant* to the Mayor or any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application, and the date of each such contribution:

N/A

An enumeration and description of each gift having a value of \$250 or more by the applicant* to the Mayor and any member of the City Council or Planning and Zoning Board during the two years immediately preceding the filing of this application:

N/A

Does the Mayor or any member of the City Council or Planning and Zoning Board have a property interest (direct or indirect ownership including any percentage of ownership less than total) in the subject property?

NO

If so, describe the nature and extent of such interest: _____

ZONING DISCLOSURE REPORT (CONTINUED)

Does the Mayor or any member of the City Council or Planning and Zoning Board have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is 10% or more) of a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

NO

If so, describe the nature and extent of such interest:

Does the Mayor or any member of the City Council or Planning and Zoning Board have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

NO

If so, describe the relationship and the nature and extent of such interest:

If the answer to any of the above is "Yes", then the Mayor or the member of the City Council or Planning and Zoning Board must immediately disclose the nature and extent of such interest, in writing, to the Mayor and City Council of the City of Smyrna. A copy should be filed with this application**. Such disclosures shall be public record and available for public inspection any time during normal working hours.

We certify that the foregoing information is true and correct, this 31st day of JANUARY 2014, 20 .



(Applicant's Signature)

(Attorney's Signature, if applicable)

Notes

* Applicant is defined as any individual or business entity (corporation, partnership, limited partnership, firm enterprise, franchise, association or trust) applying for rezoning action.

** Copy to be filed with the City of Smyrna Zoning Department and City Clerk along with a copy of the zoning application including a copy of the legal description of the property.

REZONING ANALYSIS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. Please provide responses to the following using additional pages as necessary. **This section must be filled out by the applicant prior to submittal of the rezoning request.**

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

THE ADJACENT PROPERTY IS EXISTING RESIDENTIAL RANGING FROM
MEDIUM DENSITY TO MEDIUM DENSITY. THIS REQUEST IS IN
CONFORMITY WITH SURROUNDING USES.

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

THERE WILL BE NO ADVERSE EFFECTS ON NEARBY PROPERTY.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

UNDER R-15 IT HAS REASONABLE ECONOMIC USE IF SOMEONE
WANTED TO CONSTRUCT \$400,000 + HOMES.

REZONING ANALYSIS (CONTINUED)

4. Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

THERE WILL BE INCREASED USE OF KINGVIEW DRIVE CONSISTENT WITH THE ADDITION OF FOUR NEW HOMES. ALL OTHER IMPACTS WILL BE MARGINAL.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

THE PLAN INDICATES MEDIUM AND MODERATE DENSITY IN THIS AREA WITH SOME MULTI FAMILY ACROSS THE ROAD. THIS PROPOSAL IS IN CONFORMITY WITH THE INTENT OF THE LAND USE PLAN.

6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

THE SOUTHERN PORTION OF THE PROPERTY SITS WELL BELOW GRADE OF BOTH RINGS PRINGS ROAD AND KINGVIEW DRIVE. DUE TO TOPOGRAPHICAL DIFFICULTIES THE HOMES MUST FRONT ON KINGVIEW.

REZONING ANALYSIS (CONTINUED)

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

THE EXTERIOR ARCHITECTURAL DESIGN WILL BE CONSISTENT WITH THE LOOK OF MOST RECENT CONSTRUCTION WITHIN THE CITY LIMITS. THERE WILL ALSO BE MORE OPEN SPACE THAN REQUIRED UNDER CITY ORDINANCE. BOTH OF THESE FACTORS WILL BE AN ENHANCEMENT TO THE AREA.

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

PROPOSED USE IS COMPATIBLE WITH EXISTING USES.

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

WITH ONLY FOUR HOUSES PROPOSED AND THE OPEN SPACE THE OVERALL PROJECT SHOULD BE POSITIVE FOR THIS AREA OF SMYRNA.